

TOWN & COUNTY ZONING

ZA Report Dated 1-8-13

12-11-12 to 1-4-13

I. Permit Applications Approved and Issued:

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Stemwedel, James+	12-11-12	12-13-12	Holding Tank 1151 Sunnyslope Road

Hawkeye Investments CUP for Home Occ in S-1
(TB approved recommendation of TPC as submitted. Clerk mailed and posted notices and the CUP will be issued 45 days from the TB action.)

Certified Survey Maps

<u>Name</u>	<u>TPC approve/deny</u>	<u>TB approve/deny</u>	<u>Address</u>
Gagnon, Mark	TB approved pending County review. County required corrections. Nelson Surveying sent a corrected map for signature and it has been returned and likely recorded at the ROD.		

II. Permit Applications in Progress:

<u>Name</u>	<u>Date Received</u>	<u>Project/ Address</u>
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Slater/McCue+	1-20-11	SFD 1268 Big Bay Road
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(waiting for shoreland restoration plan per DNR requirements. Per L. Hildebrandt the applicant has two choices, either submit a restoration plan or choose not to disturb the existing buffer – no mow etc. Slater has communicated to L. Hildebrandt that they will make their decision in the spring of 2012 when they want to build.)

Weiner, Sara+	Single Family Dwelling Oak Lane
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(Needs sanitary reconnect permit – waiting for application and plumber inspection report.)

LaDuke, Winona+++	4-28-12 (incomplete)	Land Disturbing Activity, Accessory (x2), Long Term Camping Unit
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(Ms. LaDuke has not moved forward with any permits on the property. Wetland fill application pending DNR/Army Corps approval.)

Hartzell, Robert	Rental of a Principal Dwelling x 7 7 different properties
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(Employee housing. Needs to go to TPC for Ordinance interpretation.)

Craftivity, Inc.

Land Disturbing Activity

978 Middle Road

(TPC conditionally approved at 1-2-12 meeting and found application compliant with CUP as long as existing wetlands are not negatively effected.)

III. Permit Applications Denied/Revoked:

Name	Date Applied	Date Denied	Type/Address
None			

IV. Violations

Name	Violation	Order
Ed Kale	Addition and Accessory without a permit at 690 Main St.	Order for Correction issued by ZA for the addition with approval from the TB. Certified letter returned "Refused" 9-7-12. Noncompliance with Town Board Order of Correction. Fauerbach sent letter to Kale attempting to resolve issue out of court. Kale letter of response. ZA request for court action
Benjamin Ryder	Rental without a permit at 2427 Spirit Lane. Also complaints filed with Police Dept re: double booking and non-refund of deposit to rental parties. Violations with Health Dept per Ken Tuckwell re: nonpayment of water testing fee and use of illegal hot tub for guests. Tuckwell bringing violation to District Attorney if not abated. Rental Permit Revoked by Order of the TB for not having required Health Dept license. Certified letter sent 8-30-12. Police Department received a complaint after permit was revoked. The complainant stated Mr. Ryder tried to house the visitors in the unfinished garage apartment - no sanitation/running water etc. Noncompliance with Town Board Order.	
Craftivity, Inc. aka Madeline Island School of the Arts	Rental of the Farmhouse without a permit at 978 Middle Road. Order for Correction issued by the Town Board to submit completed permit application. Certified letter sent 9-4-12 requiring a completed application by 4 pm 9-7-12. No application submitted as of the date of this report. Noncompliance with Town Board Order or Correction. Fauerbach sent letter attempting to resolve the issue out of court. Attorney O'Connor responded to Fauerbach's letter. ZA request for court action.	

Kron, Robert

Deck built without permit. TPC interpretation of CUP and permit requirement at 9-20-12 meeting. Certified letter to Kron 9-25 with permit application and appeal application. No application received as of the date of this report. Fees quadrupled. 2nd letter advising of quadruple fees and possible Orders from the TB for Correction + possible ZA Complaint & revocation of CUP. He emailed to tell me he was submitting the permit. I have not received it yet.

Middle Road Literary Arts Society aka Tom's Burned Down Cafe Upon inspection for the C.R. Nelson Complaint it appears there is an addition of a bandstand w/o a permit.

V. Land Use Permit – No Permit Required:

Name	Project/ Address
None	

VI. Correspondences: Letters/MEMO to

Name	Date	Re
Stemwedel	12-15-12	POWTS plan review – conditional approval
MEMO TPC/TB	12-6-12	BOA
MEMO TPC/TB	12-10-12	BOA
MEMO TPC	12-11-12	12-12-12 Meeting
MEMO TB/TPC	12-14-12	NR 115
MEMO TB/TPC	12-17-12	ZA Asst Job Description
MEMO TB/TPC	12-26-12	GPS/GIS Wetland Delineations
MEMO TB	12-28-12	Zoning Dept Job Descriptions
MEMO TB/TPC/CAPP	12-28-12	Planning procedures
MEMO PETE CLARK	12-28-12	Wetlands
MEMO TB/TPC	1-2-13	Craftivity – ZA request for court action
MEMO TB/TPC	1-2-13	Kale – ZA request for

VII. Complaints

Name	Date	Regarding
Nelson, Charles R.		Ongoing. Middle Road Literary Arts Society dba Tom's Burned Down Café – vision triangle etc.

X. New Business

I attended a training for Coastal Erosion and Best Management Practices. I will be presenting the information to the Town Board. Hopefully I can have this together by the next meeting. Several Counties surrounding Ashland County have, or are in the process of having, language that will protect property owners from failing bluffs. There's too much to go over in this report. But I will say that the GPS/GIS program would be

beneficial if amending this coastal erosion problem is an interest of the Board's. As I have stated before I am both excited about what the Town could accomplish with a GPS/GIS program and I have reservations. My reservations are based almost wholly on cost.

I will have my annual report for 2012 at the next Town Board meeting.

The TPC is beginning the project of reviewing the Comprehensive Plan. I am publicizing the process as much as possible. The TPC will also be working closely with other departments and ad hoc committees to gather specific information and recommendations. The TPC is beginning with census language in Section 4 of the Plan since a lot of the Plan is based on population growth and development. We have not seen the growth that was projected and this will effect the changes. Since the Town Board has been using the Plan for their decisions it would be most helpful if you identified areas you think could use improvement. You can do this individually – we're just trying to gather as much info as we can at the outset.

XI. Old Business

I will be speaking with TPC Chair Pallas about reviewing the Zoning Ordinance language for **Section 10 BOA** to include language about proper procedures, unless the Board objects.

I don't understand what to do about my legal budget. I submitted a Memo last year trying to shuffle zoning dollars around to give us some money in the legal expenses. I'm unsure whether that has been addressed or where things stand. Mike Fauerbach called me today because he was gone over the holidays and just read Ed Kale's letter. I didn't send Fauerbach the letter, Mr. Kale did. I returned Fauerbach's call and told him I had no money in my budget to work with him. He stated, since Mr. Kale copied an attorney his letter (Carlson) Fauerbach has an obligation to represent his client (the Town). I notified Fauerbach that my requests for court action were on the Tue TB meeting and that I would have requested a closed session to confer with council regarding pending legal action but currently it is not posted as such.

+ indicates a County permit has been or needs to be issued for the project